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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,394	10/28/2003	Samantha S. H. Tan	10892-Y1	6372
31647 7590 04/24/2008 DUGAN & DUGAN, P.C. 245 Saw Mill River Road Suite 309 Hawthorne, NY 10532			EXAMINER SONG, MATTHEW J	
			ART UNIT 1792	PAPER NUMBER
			MAIL DATE 04/24/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/696,394

Applicant(s)

TAN, SAMANTHA S. H.

Examiner

MATTHEW J. SONG

Art Unit

1792

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 and 26-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 and 26-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 26 recites the limitation "said nitrogen gas stream" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 6-24, and 26-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tan (WO 02/15255 A1) in view of Guldi (US 6,488,037).

In a method of cleaning semiconductor parts, note entire reference, Tan teaches a cleaning solution for cleaning parts includes 0.5-1.5 wt% Hf; 0.1-0.5 wt% HNO₃; and 1-10 wt% H₂O₂ for cleaning SiC ceramic parts (pg 7, ln 1-25). Tan also teaches a solution of HF/HNO₃ or HCl/HNO₃ at a concentration of 10-40 wt% for each chemical (pg 7, ln 25-32). Tan also teaches SiC can be found in chamber roofs, domes, rings and collars (pg 9, ln 1-10). Tan also teaches an ultrasonication cleaning process to a surface of a part can be cleaning, spray rinsing the part with

a dilute chemical mixture, and spray rinsing the part with deionized water (pg 15, ln 30 to pg 16, ln 5). Tan also teach an ultrasonication step in deionized water (pg 21, ln 1-10) and an ultrasonication step in a chemical bath (pg 22, ln 1-32).

Tan teaches ultrasonication for quartz part, but is silent to the use of ultrasonication for SiC parts. Tan also does not teach an integrated system that is adapted for handling a multiplicity of silicon carbide materials.

In a method of cleaning a semiconductor wafer, note entire reference, Guldi teaches a conventional technique for improving the efficiency of a chemical bath cleanup is to insert a physical action into the cleanup. (col 1, ln 65 to col 2, ln 15). Guldi also teaches a variety of solvents such as deionized water, alcohol or HF (col 1, ln 1-65). Guldi also teaches conventional examples of physical action are injection of an inert gas into the chemical bath and ultrasonic energy to the bath resulting in a physical turbulence in the liquid that also dislodges contaminants from the wafer (col 1, ln 65 to col 2, ln 15). Guldi also teaches both gas bubbling and ultrasonic transduction may be used in combination in either a single wafer cleaning system or a bath cleaning system (col 7, ln 1-15), this clearly suggests applicant's purging silicon carbide materials using an inert gas stream during ultrasonication the silicon carbide material in an aqueous solution. Guldi teaches a batch cleaning system and a wafer carrier containing a plurality of substrates (Fig 1 and col 4, ln 1-67), this clearly suggests applicant's integrated system that is adapted for handling a multiplicity of said silicon carbide materials during cleaning.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Tan by applying ultrasonic waves and an inert gas purge to the aqueous

solution and the DI rinse while using a holder capable of supporting a plurality of substrates, as taught by Guldi to improve efficiency.

In regards to purging at least one opening within each silicon carbide material, the combination of Tan and Guldi teaches SiC rings ('275 col 9, ln 1-10) and an inert gas purge, this clearly suggests purging through the opening of a SiC ring.

In regards to using an integrated system that is adapted for handling a multiplicity of silicon carbide material, this is an apparatus limitation in a method claim. Apparatus limitations, unless they affect the process in a manipulative sense, may have little weight in process claims. In *re Tarczy-Hornoch* 158 USPQ 141, 150 (CCPA 1968). The use of an integrated system does not affect the process in a manipulative sense, thus is given little patentable weight. It is also noted that the combination of Tan and Guldi teach an integrated system for handling a plurality of substrates.

Referring to claim 6, Tan teaches chemical and mechanical process are applied to the part (pg 13, ln 1-20). The mechanical processes would read on applicant's scrubbing.

Referring to claims 7-8, Tan teaches a dilute chemical solution (abstract).

Referring to claim 9, Tan teaches HF/HNO₃ solution at concentrations of 10-40 wt% (pg 7, ln 15-30).

Referring to claims 9-18, 30, and 33, the combination of Tan and Guldi does not teach all of the claimed ranges for temperature, power and frequency. These variable are result effective variable. Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the combination of Tan and Guldi by optimizing the temperature,

power and frequency to obtain the claimed ranges by conducting routine experimentation of a result effective variable (MPEP 2144.05).

Referring to claim 27-28 and 31-32, Tan teaches a dilute HF and HNO₃ solution with concentration that overlap the claimed ranges (Abstract).

Referring to claim 29, Tan teaches HF/HNO₃ at much higher concentrations 10-40 wt% (pg 7, ln 20-32), overlapping ranges are held to be obvious (MPEP 2144.05).

Referring to claim 19, Tan teaches purge drying with in filtered N₂ and under a heat lamp for at least 1 hour (pg 23, ln 20-31) and heating in a furnace to 800°C and cooling to 200°C (pg 20, ln 10-25), this clearly suggests applicant's baking.

Referring to claim 20, the combination of Tan and Guldi teaches cooling to 200°C from 800°C, this clearly suggests applicant's baking using 200-300°C.

Referring to claim 21, the combination of Tan and Guldi does not teach the claimed baking time. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the combination of Tan and Guldi optimizing the time to obtain the claimed time to optimize the time required ensure the wafers are dry.

Referring to claims 22-24, the combination of Tan and Guldi does not teach the type of oven used during baking. The oven used is an apparatus limitation. Apparatus limitations, unless they affect the process in a manipulative sense, may have little weight in process claims. In *re Tarczy-Hornoch* 158 USPQ 141, 150 (CCPA 1968). Here, the use of a particular oven does not affect the process in a manipulative sense since any oven can achieve the claimed baking. Furthermore, the particular ovens claimed by applicant are known in the art to be used for drying.

Referring to claim 26, the combination of Tan and Guldi does not teach the claimed nitrogen pressure. Pressure is well known in the art to be a result effective variable. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the combination of Tan, Uehara et al and Lu et al or the combination of Tan, Uehara et al and Laube et al by optimizing the pressure to obtain the claimed pressure by conducting routine experimentation.

Referring to claims 34 and 36, the use of particular materials for the integrated systems, this is an apparatus limitation in a method claim. Apparatus limitations, unless they affect the process in a manipulative sense, may have little weight in process claims. In *re Tarczy-Hornoch* 158 USPQ 141, 150 (CCPA 1968). The use of an chemically resistant materials that are flexible or made high density polyethylene for the integrated system does not affect the process in a manipulative sense, thus is given little patentable weight. Furthermore, it is noted that polyethylene is well known in the art to be used as a material for construction of wafer carriers.

Referring to claim 35, the combination of Tan and Guldi is silent to robotic mechanisms. This is an apparatus limitation. Apparatus limitations, unless they affect the process in a manipulative sense, may have little weight in process claims. In *re Tarczy-Hornoch* 158 USPQ 141, 150 (CCPA 1968). Here, the system comprising a robotic mechanism does not affect the process in a manipulative sense. Furthermore, the provision of a mechanical or automated means to replace a manual activity was held to have been obvious (*In re Venner* 120 USPQ 192 (CCPA 1958); *In re Rundell* 9 USPQ 220 (CCPA 1931). It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the combination of Tan and Guldi by providing a robotic mechanism to automate the process. Furthermore, robots are well known

in the art to be used in the moving of substrates from an etching bath, to a rinsing bath and to a drying process, as evidenced by Lee (US 6,083,320) in column 1, lines 20-35.

Referring to claim 37-40, the combination of Tan and Guldi does not teach a system is adapted to hold lift pins or showerheads. This is an apparatus limitation. Apparatus limitations, unless they affect the process in a manipulative sense, may have little weight in process claims. In *re Tarczy-Hornoch* 158 USPQ 141, 150 (CCPA 1968). Here, the system does not affect the process in a manipulative sense. Furthermore, changes in shape are held to be obvious (MPEP 2144.04). The combination of Tan and Guldi teaches etching semiconductor components, which would include lift pins and showerheads; therefore adapting the system to handle lift pins would have been obvious to a person of ordinary skill in the art.

Referring to claim 41, this is an apparatus limitation. Apparatus limitations, unless they affect the process in a manipulative sense, may have little weight in process claims. In *re Tarczy-Hornoch* 158 USPQ 141, 150 (CCPA 1968). Here, the system having boats adapted for holding wafer rings does not affect the process in a manipulative sense.

Referring to claim 42, this is an apparatus limitation. Apparatus limitations, unless they affect the process in a manipulative sense, may have little weight in process claims. In *re Tarczy-Hornoch* 158 USPQ 141, 150 (CCPA 1968). Here, the use of peristaltic pump and manifold does not affect the process in a manipulative sense. Furthermore, pumps and manifolds are well known in the art and would have been obvious to a person of ordinary skill in the art.

5. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tan (WO 02/15255 A1) in view of Guldi (US 6,488,037) as applied to claims 1, 6-21, and 27-42 above, and further in view of Applicant's admitted prior art (AAPA).

The combination of Tan and Uehara et al teach all of the limitations of claims 2-3, as discussed previously, except a CVD SiC and a sintered SiC.

AAPA teaches several forms of silicon carbide materials used in the manufacture of semiconductor wafers, such as silicon carbide pins used as lift pins, wafer rings, and showerheads. AAPA also teaches lift pins, wafer rings and showerheads can be may be either sintering or CVD (pg 1, ln 15-25).

The combination of Tan and Guldi teach a process used for cleaning semiconductor equipment part made of SiC and are not particular to any particular type of SiC. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the combination of Tan and Guldi by using CVD or sintered SiC parts since both are used as equipment in semiconductor manufacturing, as taught by AAPA. Selection of a known material based on its suitability for its intended purpose is held to be obvious (MPEP 2144.07).

6. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tan (WO 02/15255 A1) in view of Guldi (US 6,488,037) as applied to claims 1, 6-21, and 27-42 above, and further in view of Kitabatake (US 6,273,950).

The combination of Tan and Guldi teach all of the limitations of claim 4, as discussed previously, except the act of oxidizing the silicon carbide material.

In a method of a manufacturing a silicon carbide device, note entire reference, Kitabatake teaches heating a silicon carbide material in an oxygen atmosphere to form a silicon dioxide thin film on the silicon carbide crystal surface at 1100°C, and etching the silicon dioxide film from the surface to prepare a clean SiC surface (abstract and col 16, ln 35-65).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the combination of Tan and Guldi by oxidizing the silicon carbide material to form a useful silicon carbide device, as taught by Kitabatake.

Referring to claim 5, Kitabatake teaches 1100°C. Also, temperature is obvious to optimize (MPEP 2144.05).

Response to Arguments

7. Applicant's arguments filed 2/7/2008 have been fully considered but they are not persuasive.

Applicant's argument that the 112 second paragraph rejection should be withdrawn is noted but not found persuasive. Applicant alleges that claim 1 has been amended to include "nitrogen gas" thus overcomes the antecedent basis rejection. This is not persuasive because claim 1 has not been amended to include "nitrogen." Therefore, the rejection is maintained.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). The examiner admits the Tan does not teach gas through a opening during ultrasonication. Guldi teaches a cleaning process

which includes both ultrasonication and inert gas bubbling to provide physical action to the cleaning process, which is desirable to improve the efficacy of a chemical bath cleanup. (Abstract; Fig 4 and col 1, ln 65 to col 2, ln 15). Therefore, the combination of Tan and Guldi teaches the claimed limitation because Tan teaches cleaning silicon carbide part with holes (rings) and Guldi teaches bubbling gas and ultrasonication to improve efficacy of cleaning.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., purging gas to prevent migration of chemicals to the anodized aluminum base of the wafer-showerhead during ultrasonication (pg 11 of the remarks)) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant's argument that bubbling inert gas to clean a wafer is not the same as purging at least one opening of each silicon carbide materials using a gas stream during ultrasonication of silicon carbide materials in the aqueous solution is noted but not found persuasive. This is merely a conclusion which lacks persuasive arguments. It is unclear what applicant's reasoning is to allege that the feature is not taught. First, Tan teaches silicon carbide parts (rings, which inherently have at least one opening) are cleaned in an aqueous solution. Second, Guldi teaches adding physical action by inert gas bubbling during ultrasonication improves the efficacy of a chemical bath cleaning. Therefore, the inert gas contact and pass through the opening of the silicon carbide ring taught by Tan, which would clearly suggest the claimed feature which applicant alleges is not taught by the prior.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MATTHEW J. SONG whose telephone number is (571)272-1468. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on 571-272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Matthew J Song
Examiner
Art Unit 1792

MJS
April 20, 2008

/Robert M Kunemund/
Primary Examiner, Art Unit 1792